

Approved 10.15.13
WENHAM BOARD OF SELECTMEN
Meeting of Tuesday September 17, 2013
Town Hall, 138 Main Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Board members, a meeting of the Board of Selectmen was held on Tuesday, September 17, 2013 at 7 pm.

With a quorum present, Mr. Whittaker called the Board of Selectmen meeting to order at 7:01 pm.

Selectmen Present: Ken Whittaker, Chair; Patrick Wilson, Vice Chair; Jack Wilhelm, Secretary

Also Present: Mark Andrews, Town Administrator; Catherine Tinsley, Minutes Secretary

Public Information

Agenda

Minutes

Abbreviations used

BOS Board of Selectmen

TA Town Administrator

Welcome and Overview of Agenda

Mr. Whittaker stated for the record that Selectman Wilson was participating remotely via telephone citing distance as the reason and that (a) Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other; and (b) A quorum of the body, including the Chair was physically present at the meeting and (c) Votes would be taken by roll call.

Mr. Andrews announced, per Governor Patrick, the flags were lowered to half-staff through Friday in honor of the victims of Monday's shooting at the Washington Navy Yard.

Announcements

Mr. Wilhelm announced the following openings for Town Boards/ Committees:

Cemetery Commission - One member

ZBA – Two openings; one member/ one alternate

Hamilton Wenham Community Cable Access & Media Committee – Two members are needed. This committee is made up of three residents from each town and one from the School Committee, to negotiate the next ten-year cable contract.

Open Meeting Law (OML) Training session will be held on October 24, 2013 at North Shore Community College.

The Executive Office of Administration and Finance has scheduled seven training seminars for the Community Innovation Challenge grant program across the Commonwealth over the next month. An informational session will be held at the Library on October 3, 2013. Mr. Andrews will attend.

Historical District Commission (HDC) Proposed Demolition Bylaw – Jim Howard, Chair of the HDC was present to talk about the consideration of a Demolition Bylaw for the Town of Wenham. He explained that such a bylaw would delay the demolition of a building or property, deemed of historical value to the Town, to allow for the consideration of alternate action such as restoration, selling, or moving the building. The owner would apply for a permit through the Building Department. The Historic Commission (HC) would review the request and hold public hearings. The timing of the review process and the criteria of a "significant" building will be considered as the process of creating the bylaw. This bylaw does not prevent the demolition, and at the end of the demolition delay period, the permit must be issued. Going forward, the Town would need to create a Historic Commission, and Mr. Howard suggested this could be accomplished by dissolving the current Historic District Commission, which has

limited authority to the historic district in town, and re-establishes a Historic Commission to have the authority of both Commissions.

Chairman Whittaker suggested the HDC draft a Demolition Bylaw, hold public hearings, and bring a final recommendation to the BOS for review in preparation of presenting it at the Annual Town Meeting for approval.

Mr. Wilson supported the notion that historical homes are valuable but questioned if this conflicts with the rights of private homeowners, and offered the suggestion to grandfather existing property owners, and for the bylaw to be activated upon the sale of a historic home.

The BOS supported the HDC go forward with a draft Demolition Bylaw for consideration.

Hamilton Wenham Community Access & Media (HWCAM) Donation – The BOS acknowledged a donation to the Town from the HWCAM for \$12,500 to cover expenses related to negotiations for cable contract licensing.

Vote: Mr. Wilhelm moved, and it was seconded, to accept the donations according to the Town's gift policy. The motion carried unanimously by roll call vote.

Recommendation of the Hamilton Wenham Regional School Committee – The School Committee has recommended Kevan Sano, a Curriculum Director for the schools, be appointed as the School Committee's designee on the HWCAM.

Town Administrator's Recommendation of Contracts

Bill Tyack, Director of the Department of Public Works (DPW) - Mr. Wilhelm stated that the DPW Director's contract expired in 2009. He gave a general overview of the new three-year contract for July 1, 2013 through June 30, 2016, as recommended by the TA and reviewed by Mr. Tyack, confirming the compensation is consistent with the annual budget approved at the Town Meeting. Mr. Tyack was recognized by the BOS for his dedication and work.

Vote: Mr. Wilhelm moved, and it was seconded, to approve the contract as revised for the DPW Director Bill Tyack. The motion carried unanimously by roll call vote.

Erik Mansfield, Water Superintendent - Mr. Wilhelm stated that the Water Superintendent's contract has lapsed. He gave a general overview of the three-year contract for July 1, 2013 through June 30 2016, as recommended by the TA and reviewed by Mr. Mansfield, confirming the compensation is consistent with the annual budget approved at the Town Meeting. He added that an evaluation of the Superintendent is done by the Water Commissioners. Mr. Mansfield and the Water Commissioners were recognized for their work.

Vote: Mr. Wilhelm moved, and it was seconded, the BOS approve the Water Superintendent's contract. The motion carried unanimously by roll call vote.

Inter Municipal Agreements (IMA): Hamilton COA Van/ Library Fee – Mr. Whittaker reported on a recent meeting between the Wenham and Hamilton Town Officials including the Town Administrator/ Town Manager, the Chairs of the Finance Committees, the Chairs of the Selectmen, and both Town's Finance Directors. The IMA were discussed candidly and there was a willingness to work towards a resolution. An "End of Year Review" was drafted as a Memorandum of Understanding (MOU) and would be reviewed, by both Boards of Selectmen and Finance Committees, before a final vote is taken. Mr. Whittaker summarized the Agreement saying it is to continue, "as is" until subsequently changed by all the parties.

Mike Lucy, Chair Finance Committee stated that there was a joint meeting of the Hamilton and Wenham Finance Committees next week and the MOU would be presented for consideration at that time.

Town Administrator's Contract: 2% Merit Increase – Mr. Whittaker reviewed that as a part of the terms of the Town Administrator's contract, an additional 2% salary merit increase could be approved at the

discretion of the BOS. If approved, this would increase Mr. Andrews' salary to \$102,000.00. A Reserve Fund transfer request would need to be submitted to the Finance Committee for consideration to cover the cost.

Mr. Whittaker took a moment to say that the TA's evaluation last week may have unintentionally come across as negative. He noted there was "substantial" public input complimenting Mr. Andrews. Mr. Whittaker said in his opinion, Mr. Andrews is doing a great job and the merit increase is well deserved. Mr. Wilhelm questioned the wording in the contract (page 2) to award the merit increase "subject to appropriation".

The Board agreed this to mean that if the merit increase is approved by the BOS, the funds must also be available. Finance Committee Chair, Mike Lucy was present and confirmed there is money in the Reserve Fund.

Mr. Wilson highlighted some of Mr. Andrews' skills, and echoed the sentiment that Mr. Andrews has worked hard and done an excellent job for Wenham finding innovative ways to prepare the budget and provide tax savings to the taxpayers.

Vote: Mr. Wilson moved, and it was seconded, to approve a 2% merit increase for Mark Andrews. Mr. Whittaker seconded and the motion carried by majority roll call vote with Mr. Wilhelm abstaining citing he did not have the opportunity to review the (approximately 30) comments solicited by the Board from the public-at-large, having only received them an hour ago.

REPORTS - Town Administrator

Finance Department Status Report - Interim Finance Director, David Genereux, reviewed the Financial Report saying that cash reconciliations have been completed through August, and deposits are made daily. As requested, the contract billing charges for financial services provided by Baystate Municipal Accounting Group have been included in the report. The Town was billed \$21,806.64 of staff time against a \$23,545.96 retainer, leaving a difference of \$1739.32 in the favor of BMAG. He estimated the charges for September would be about even and then during the budget season, BMAG would be working more hours and exceed the retained amount. By the end of the fiscal year, the Town may see a slight advantage overall.

Referring back to the last meeting, Mr. Genereux confirmed that there is no "stale date language" on the Town's checks e.g. Void if not cashed within 60 days. Harper's payroll will add this language to the checks they process for the Town, and Eastern Bank has agreed to replace 2500 checks with new checks that include this message, at no cost to the Town. The old check run should be done around mid November. The Board received the Budget Expense Report for the General Fund. The Trust Fund Special Revenue Fund Reports would be included when the end of year accounting is done and the balances have been rolled over to the new fiscal year.

Regarding the fiscal year Tax Titles, thirteen accounts are delinquent and will be publicly advertised next week. The total amount due the town is \$58,000.

Mr. Wilhelm asked for break down of the total hours of work submitted by BMAG to on site/ off site work.

Chairman Whittaker questioned the high percentage of expenditures so early in the budget, e.g.

Retirement. Mr. Genereux explained that i.e. Insurance Companies offer discounts if the invoice is paid the first of the year. The Town takes advantage of the discount offers, which reduces an account significantly.

Police Department Certification - Mr. Andrews announced that the Police Department received a Certificate of Certification. The Town Administrator, Police Chief, and Captain attended the ceremony and received the plaque. Police Chief Perkins and Captain Toby were present and talked briefly about the Police Department Accreditation process. He went on to say this is not a one-time accomplishment, but an ongoing process to stay up to date on standards, best practices, and evaluations. Chief Perkins recognized the Department for their work towards this goal. He noted there are only twenty-one certified Police Departments in Massachusetts, and only forty-seven fully accredited communities. Chief Perkins

recognized the previous Police Chiefs for their contribution over the years that built the foundation of the Department, making it what it is today.

STRAP Grant- The Town has applied for a \$491,000 local aid STRAP grant (Small Town Road Assistance Program). DPW Director Bill Tyack was present and explained the grant is for the repair of the Essex Street culvert that was damaged in 2006 Mother's Day storm. This was not deemed an emergency at the time, but it was recommended the culvert be replaced in the next five years. He cautioned that another large storm could collapse the culvert. The Town has been on the TIPS (Transportation Improvement Program) list for five years; the project must be considered shovel ready to be approved. Mr. Tyack reported the project has been engineered and all that remains to be done is the permitting; this is an extensive process. It is thought the Town would be notified in the fall if the grant were approved. Representative Brad Hill and Senator Bruce Tarr are assisting the Town through the TIP process.

LED Streetlights – Mr. Andrews reported on the status of updating the street lighting in town to LED lights. The Town has approximately 400 streetlights and could see a cost savings over a time. An audit for exterior lighting of municipal buildings in Hamilton and Wenham and the schools, will be done to determine the investment cost and the payback period. Mr. Tyack noted that going forward, the Town would need to negotiate with National Grid to take possession of the streetlights.

The Community Innovation Challenge Grant update – Mr. Andrews said he anticipates the Collins Report on Regional Department of Public Facilities and Infrastructure for Wenham, Hamilton and the Schools, would be available as a resource to apply for additional grant money this fall. The next meeting is October 3, 2013.

Chair's Report - The School Committee is considering a proposal to reduce the Committee from nine to seven. Mr. Whittaker said this is not actively being discussed at this time.

As part of the overall updating of the Town's Web site, the CTY Connect (reverse 911) notification will also be updated to include a multiple media notification for those that want to be notified. Chief Blanchard spoke saying information is not being updated. Residents can update their contact information on the Town's web site or by calling the Town Administrator's office. Mr. Wilson commented the nature of information from the Town is valuable to some people, but not to others. He asked if there is some way for residents to choose to receive specific sources of information and if there is the ability to disseminate the type of information sent in the notifications using other technological mean such as text messaging.

Minutes - Executive Session August 20 and September 3, 2013

Vote: Mr. Wilhelm moved, and it was seconded to approve but not release, the executive session minutes of August 20 and September 3, 2013. The motion carried unanimously by roll call vote.

The open session minutes of August 20, 2013 and September 3, 2013 were held; no action was taken.

Vote: Mr. Wilhelm moved to adjourn at 8:42 pm and it was unanimous to do so.

Respectfully submitted by

Catherine Tinsley
9.20.13